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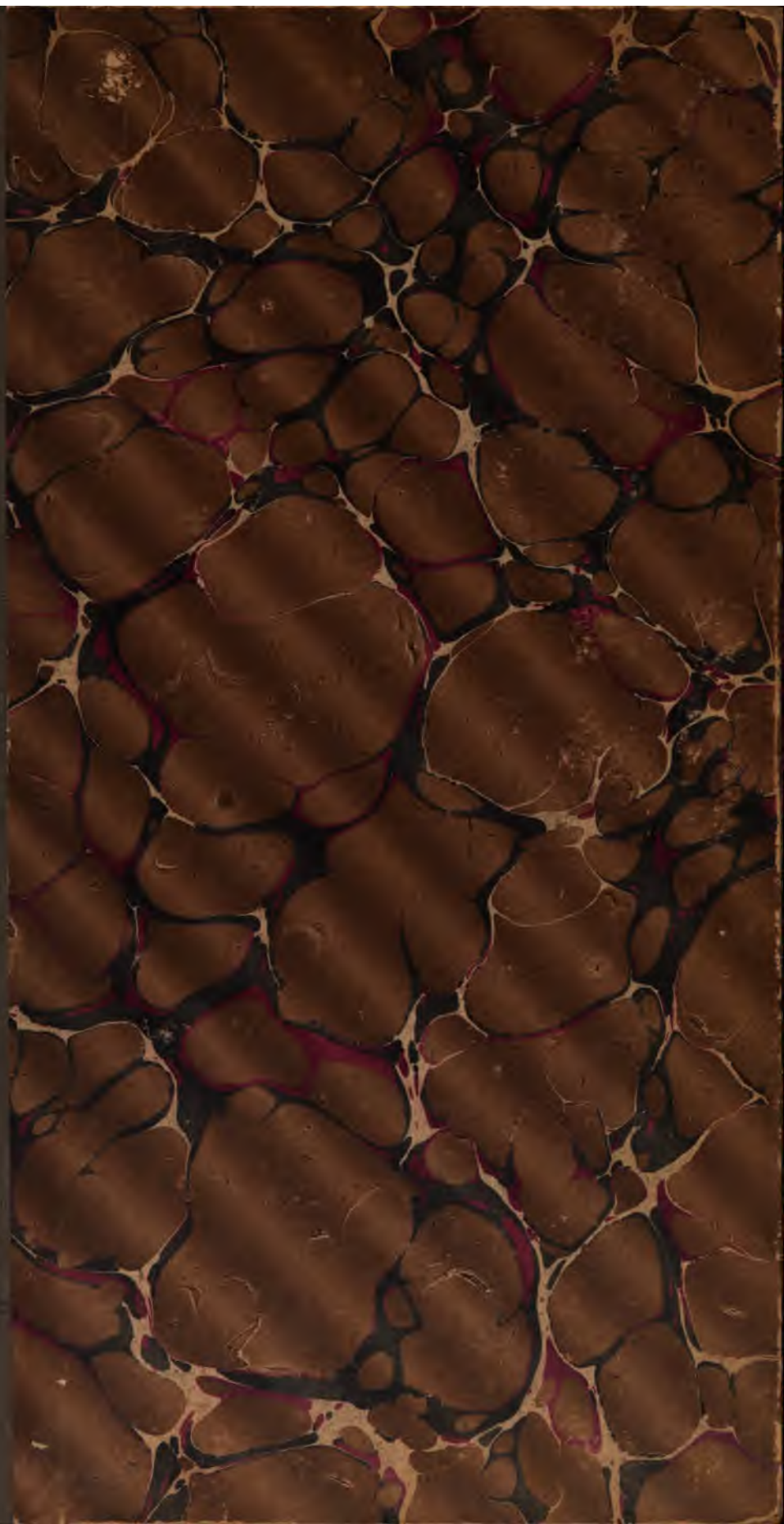
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SPEECH

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OF

HON. JOHN W. TIBBATT, OF KENTUCKY:

ON

THE REANNEXATION OF TEXAS:

DELIVERED

IN THE HOUSE OF REPRESENTATIVES,

JANUARY 13, 1845.

WASHINGTON:

PRINTED AT THE GLOBE OFFICE,

1845.

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SPEECH.

Mr. TIBBATTS being entitled to the floor, rose and said that he was certainly under great obligations to the committee for the courtesy and indulgence they had extended to him by postponing this discussion until to-day, though he did not feel that he should, in the present state of his health, or in the hour which, under the rules of the House, he had the right to occupy, either do justice to himself or the important question under discussion.

Mr. T. said that he had listened attentively to the argument of the gentleman from Maryland, [Mr. J. P. KENNEDY,] who had addressed the committee on Saturday last, but had heard nothing fall from him which he could construe into an argument against the constitutional power of Congress to admit Texas into the Union as a State. That gentleman seemed to content himself with referring the committee to the case of the "shoulder knots," related in Dean Swift's admirable and celebrated production, "The Tale of a Tub." It seemed to him (Mr. T.) that the gentleman from Maryland, and others who had opposed this measure, had made the same disposition of the constitution of the United States, which, after many difficulties and trials, had been finally made by the three brothers, in the "Tale of a Tub," of the troublesome will of their father. As Swift tells us that—

"Fashions perpetually altering in that age, the scholastic brother grew weary of searching farther evasions, and solving everlasting contradictions; resolved, therefore, at all hazards, to comply with the modes of the world, they concerted matters together, and agreed unanimously to lock up their father's will in a strong box, brought out of Greece or Italy, (I have forgotten which,) and trouble themselves no farther to examine it, but only to refer to its authority whenever they thought fit."

It seemed to him that the gentleman from Maryland had not thought it worth his while to trouble himself with the constitution at all so far as regarded the question of the power of Congress to add new States to the Union; for, so far as he recollected, the only reference which that gentleman had thought worthy of being made to the constitution at all, was to those clauses which regulated the qualifications of representatives and senators in Congress. The gentleman from Maryland had objected to the proposition of the gentleman from Virginia [Mr. DOWNSON] because, as he contended, the "immediate admission into the Union of Texas as a State,

would bring into Congress senators and representatives who will not have the constitutional qualification of nine and seven years."

Is it true that the constitution provides that "no person shall be a representative who shall not have * * * been seven years a citizen of the United States;" and that "no person shall be a senator who shall not have * * * been nine years a citizen of the United States." Now, admitting the position of the gentleman and the construction which he placed upon those clauses to be correct, what (asked Mr. T.) had that to do with the question now under consideration?—with the constitutional power or right of Congress to reannex Texas to this Union either as a State or Territory? It would only operate as an inconvenience to the people of Texas, if they were placed in that position—an inconvenience, however, for which they would doubt find a *thousand remedies* from this country, if Texas should be reannexed to it; but it was no argument against the constitutional power of Congress to reannex that country to this. But Mr. T. contended that the constitution ought not to receive such a construction. If Congress had the constitutional power to add Texas as a new State to this Union, which was the preliminary and main question, we ought not to give such a construction to any other clause in the constitution as would make that power nugatory. The constitution is to be construed in such manner as will give effect to every power granted, and to every word in the grant of that power; and where the grant of two powers would seem to conflict with each other, such a construction should be given to each as that both may stand; and if one power be auxiliary to another, it must be so construed as to aid in carrying out the greater power, and not so as to obstruct its operation. If the constitution confers upon Congress the power to admit Texas as a State, then such construction must be given to the clauses in relation to the qualifications of senators and representatives, as will comport with that power, and not deprive that State of its just representation under the constitution. If this can be done without destroying the plain sense of the words, it ought to be done, otherwise the constitution would be an absurdity. The citizenship referred to is not intended to be confined to the

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SPEECH.

Mr. TIBBATS being entitled to the floor, rose and said that he was certainly under great obligations to the committee for the courtesy and indulgence they had extended to him by postponing this discussion until to-day, though he did not feel that he should, in the present state of his health, or in the hour which, under the rules of the House, he had the right to occupy, either do justice to himself or the important question under discussion.

Mr. T. said that he had interest seriously in the argument of the gentleman from Maryland, (Mr. J. P. Kennedy,) who had introduced the nomination on Saturday last, and had heard anxious full laws and which he could compare with an objection against the constitutional power of Congress to admit Texas into the Union as a State. That gentleman seemed to content himself with referring the nomination in the case of the "Shadrach case," second a learned British admirable and admirable judgment. "The Tale of a Tail." It seemed to him Mr. T., that the gentleman from Maryland, and others who had opposed this measure, and made the same propositions of the constitution of the United States, which, after many difficulties and trials, had been finally made by the three brethren in the "Tale of a Tail," the true sense will of their father. The

would bring into Congress senators and representatives who will not have the constitutional qualifications of nine and seven years."

[illegible]

States which are now in the Union, but applies as well to the State which may be admitted. Vermont was admitted into the Union, and no such question was raised as to her representatives and senators. And again: the constitution did not require that the citizenship should be *immediately preceding the choice or election of senators and representatives*; and there was no rule of construction by which the gentleman would be authorized to interpolate such words in the constitution. The constitution made good sense as it stood; and the qualifications required by it are possessed by nine-tenths of the citizens of Texas, who in other respects possess the qualifications requisite in senators and representatives, and to whom the causes and reasons for requiring such qualifications would in no manner apply. These causes are stated by Judge Story correctly in his familiar exposition on the constitution, § 75. He says:

"The period of seven years was selected as one which would enable naturalized citizens to acquire a reasonable familiarity with our institutions and with the interests of our people; and which, at the same time, would justify the latter in reposing confidence in their talents, virtues, and patriotism."

And in § 108 he says:

"The term of citizenship of a representative is seven years; that of a senator is nine years. The reason for increasing the term in the latter case, is the direct connection of the Senate with foreign nations, in the appointment of ambassadors, and in the formation of treaties. This prolonged term may well be required of a foreigner, not only to give him a more thorough knowledge of the interests of his adopted country, but also to wean him more effectually from those of his native country."

It is evident that the constitution did not contemplate an exclusion of the citizens of a new State. The people of Texas are already familiar with the institutions and interests of our people. They have no foreign interests to be weaned from; they are in fact the same people that we are, and their interests are the same as ours. When we look at the motives which influenced the convention in inserting these clauses in the constitution, we would find them susceptible of no such application as the gentleman from Maryland gave them. It is not in the spirit of the powers conferred by the constitution that any State should be admitted into the Union, and at the same time that it should not be represented in the Congress of the United States. Judge Story, in his *Commentary on the Constitution*, vol. 2 § 419, says:

"The constitution of the United States is to receive a reasonable interpretation of its language and its powers, keeping in view the objects and purposes for which those powers were conferred. By a reasonable interpretation we mean, that in case the words are susceptible of two different senses, the one strict, the other more enlarged, that should be adopted which is most consonant with the apparent objects and intent of the constitution; that which will give it efficacy and force as a government, rather than that which will impair its operations and reduce it to a state of imbecility."

The same clauses to which the gentleman from Maryland had referred, required that a representative or senator shall be "*an inhabitant of that State in which he shall be chosen*;" yet, during the present session of Congress, we find a senator from Missouri and one from Illinois elected to the Senate, while they are actually inhabitants of Washington city; yet no person will contend that the constitution intended to exclude them, nor to prevent the legislature of Virginia, (if they thought proper to do so,) from electing Mr. Wise to the Senate of the United States, notwithstanding he is now actually an inhabitant of South America. The position taken by the gentleman from Maryland, reminded him of that

taken by a candidate who aspired to be a representative in the legislature of Kentucky, during the times of the high excitement in relation to the stay-laws, who, in addressing those whom he desired to make his constituents, contended that the legislature had no power, but was actually prohibited by the constitution from subjecting the property of debtors to execution for the payment of their debts, because the constitution of that State, as he (Mr. T.) believed those of most of the States declared, that "justice should be administered without sale, denial, or delay;" and that, therefore, a sale of property under execution would be in direct violation of the plain letter of the constitution.

The gentleman from Massachusetts, [Mr. WINTHROP,] when the proposition now under consideration was first introduced by the chairman of the Committee on Foreign Affairs, [Mr. C. J. INGERSOLL,] not only had denounced the reannexation of Texas as a measure in violation of the laws of nations, but as impolitic and a violation of the constitution of the United States—a breach of the faith of this country in her treaty with Mexico, and therefore derogatory to the honor of the nation, and dangerous in its consequences to the permanency of the Union from too great an extension of territory and on account of the slavery question. These were assertions boldly made, and the positions seemed to be confidently taken by that gentleman; and he, (Mr. T.,) and no doubt this committee, had expected, and the country had a right to expect, that that gentleman, so distinguished for his intelligence and ability, would, when this debate came on, have come armed with facts and arguments calculated to appal the friends of this measure, and drive them from their position. But in this they had been disappointed; for that gentleman had said nothing which, in his (Mr. T.'s) opinion, sustained the positions he had taken.

The expediency of the measure (Mr. T. said) was a question which his time would not permit him to go into. He would not, therefore, detain the committee with a description of the geographical extent of the country—the richness and fertility of its lands—the importance of adding to this country the acquisition of so vast and valuable a territory—the securing to our treasury the revenues which would arise from the imports into that country, and through it the interior trade of the provinces of Mexico—and the securing to this country the control of the cotton-growing regions of this continent, which staple controlled the commerce of the world. He would not have time to show the extent of the market which would be opened to the productions of the western country—to the grain-growing States of Michigan, Ohio, Indiana, and Illinois—to the manufactures of hemp and tobacco, the great staples of Kentucky and Missouri—to the iron manufactures of Pennsylvania and Virginia, Ohio and Kentucky—nor to the productions and enterprise of the northern and eastern States, in the advantages to be derived by their shipping and commercial interests, and in opening to them an extensive market for their manufactures of cotton and wool, secure from a foreign competition. He must pass by, too, the consideration of the importance of the measure as a protection to our revenue laws, and to secure our commerce from smuggling; its importance in a military point of view, as a security to New Orleans, the great depot of the vast productions of the western States; and to our naval power, by securing to them the safest and best harbors of

the Gulf of Mexico, upon which millions of our productions annually floated.

Mr. T. said that he could not perceive upon what ground it was asserted that this measure would be in violation of the law of nations. The law of nations is defined to be "the law of nature applied to nations." Whatever an individual could do in a state of nature by natural law, a nation can do in like circumstances. It is contended that as an individual cannot by the law of nature destroy himself—commit suicide—so a nation cannot extinguish its sovereignty and become *felo de se*. The proposition to add Texas as a State to this Union, does no extinguish the sovereignty of that nation; it is but a legislative contract, competent to be made by Texas—a political arrangement, such as all the States of the Union have made. The annexation of Ireland to England in 1782 is an example in national history, and a precedent in national law, for the admission of Texas into this Union as a sovereign State. The union of Ireland with England in 1800, by which the independent Parliament of Ireland was abolished, and she came under the imperial legislature, having still preserved a representation in the Parliament, and the reannexation of Wales to England in the reign of Edward I, by which her separate and independent national existence was absolutely extinguished, are examples and precedents in national history and national law fully in point for the proposed annexation or reannexation of Texas, as gentlemen may prefer to term it.—*Vide Black. Com.*, 1 vol., p. 94.

The right to acquire territory was a right inherent in the sovereignty of every nation, and there could exist no question as to the United States possessing that power. As to the department of the government to which this power had been delegated, and the manner in which the power should be exercised, they were questions (Mr. T. said) which it was not necessary for him now to discuss, as it would be observed by the committee that he advocated the measure of the reannexation of Texas, and argued the questions growing out of it, upon the right and constitutional power of Congress to admit new States into the Union. There were two classes of propositions before the committee—one class proposing to reannex Texas as a territory, the other to admit Texas into the Union as a State. As to the details of these several propositions, he did not intend to discuss them; men of sense did not quarrel about the details, when they had once agreed upon the great principles of a measure. Nor did he mean to say anything upon the question of the power of Congress to reannex Texas as a territory; his object being only to show their power to admit her as a State, as this would be the plan which he believed the friends of the measure would ultimately adopt.

The third section of the fourth article of the constitution provides that "new States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State, nor any State to be formed by the junction of two or more States or parts of States, without the consent of the legislatures of the States concerned, as well as of the Congress." He contended that if it were possible that there could be considered any ambiguity to exist in the first broad grant to Congress, "that new States may be admitted into this Union," the succeeding limitation of the clause showed conclusively that the constitution contemplated the admission into the Union of two kinds of new States—one from within the jurisdiction

of some State or States of the Union, which required by the limitation the consent of the legislatures of the States interested, and the other from without the jurisdiction of any of the States, over which the power of Congress was wholly unlimited, except by its own discretion.

The constitution declares that "new States may be admitted by the Congress into this Union." These words are plain, clear, and determinate; the sense arising upon them is distinct; there can be no doubt or ambiguity as to their meaning; they require no interpretation; he that runs may read, and being read, they cannot fail to be understood by the most common capacity. He would beg leave to call the attention of the committee to a few sound rules of constitutional construction, which had been laid down by an eminent jurist.

Justice Story, in his Commentary on the Constitution, 2 vol., sec. 422, says:

"But a constitution of government, founded by the people for themselves and their posterity, and for objects of the most momentous nature, for perpetual union, for the establishment of justice, for the general welfare, and for a perpetuation of the blessings of liberty, necessarily requires that every interpretation of its powers should have a constant reference to these objects. No interpretation of the words in which those powers are granted can be a sound one which narrows down their ordinary import, so as to defeat those objects. That would be to destroy the spirit and to cramp the letter."

Sec. 451:

"In the first place, then, every word employed in the constitution is to be expounded in its plain, obvious, and common sense, unless the context furnishes some ground to control, qualify, or enlarge it. Constitutions are not designed for metaphysical or logical subtleties, for niceties of expression, for critical propriety, for elaborate shades of meaning, or for the exercise of philosophical acuteness, or judicial research. They are instruments of a practical nature, founded on the common business of human life, adapted to common wants, designed for common use, and fitted for common undertakings. The people make them; the people adopt them; the people must be supposed to read them with the help of common sense; and cannot be presumed to admit in them any recondite meaning, or any extraordinary gloss."

Sec. 401:

"Where the words are plain and clear, and the sense distinct and perfect, arising on them, there is generally no necessity to have recourse to other means of interpretation. It is only where there is some ambiguity or doubt arising from other sources that interpretation has its proper office."

Sec. 405:

"Where its words are plain, clear, and determinate, they require no interpretation; and it should therefore be admitted, if at all, with great caution, and only from necessity, either to escape some absurd consequence, or to guard against some fatal evil."

Sec. 456:

"The remark of Mr. Burke may, with a very slight change of phrase, be addressed as an admonition to all those who are called upon to frame or to interpret a constitution. Government is a practical thing made for the happiness of mankind, and not to furnish out a spectacle of uniformity to gratify the schemes of visionary politicians. The business of those who are called to administer it is to rule and not to wrangle. It would be a poor compensation, that one had triumphed in a dispute, whilst we had lost an empire; that we had frittered down a power, and at the same time had destroyed the republic."

The argument that such a power might be dangerously abused is entitled to no weight or consideration. The same argument may be used against any power. The government is created for the benefit of the people, and to promote their happiness. For the just and proper administration of the powers conferred upon them the people will hold their representatives responsible.

The Supreme Court of the United States, in the

of America and the United Mexican States, in all the extent of their possessions and territories, and between their people and citizens respectively, without distinction of persons or places."

To see if this position of the gentleman was correct, it would be necessary to ascertain whether Texas was within the extent of the possessions and territories of Mexico. He (Mr. T.) maintained, and believed he could establish beyond all controversy, that the reannexation of Texas would be no violation of our treaty stipulations with Mexico; that Texas never was a part of Mexico, except as an independent member of a confederation of States, which now has no existence, and has not had since 1834-'35; and that Mexico, as now or ever constituted, never had a just or established right to Texas. In order to ascertain whether the positions taken by him were correct, he would beg leave to detain the committee while he made a brief statement of facts in the history of Texas.

Texas was first discovered and settled by the French in 1685—five years before any settlement by the Spaniards. *Marbois's Hist. of Louis*, p. 107. It was granted by Louis of France to the Sieur Anthony Crozat, by grant dated at Fontainebleu, Sept. 14, 1712; and in that grant is described as "bounded by New Mexico, and by the lands of the English of Carolina."

"NEW SPAIN.—This term is used to designate the Mexican provinces, including those in the Provincia Interiora."—*Brooke's Gazetteer*, ed. 1823.

"New Mexico, province of New Spain, or Mexico in the interior provinces.—This is the most northern of the Spanish settlements in the interior of North America. Bounded south by New Biscay or Durango, east by Texas, and on all other sides by regions little known, inhabited by native Indians."—*Ibid.*

"Mexico, empire of, an immense region of North America.—This empire is subdivided into intendencies or civil governments, consisting of Merida or Yucatan, Vera Cruz, Oaxaca, Puebla, Mexico, Valladolid, Guadalajara, Guanaxuato, Zacatecas, San Luis Potosi, Durango, Sonora, New Mexico, Old California, and New California."—*Ibid.*

"Mexico, or New Spain, country of North America, bounded north by the territory claimed by the United States; east by the United States territory, the Gulf of Mexico, and Guatemala; southwest and west by the Pacific Ocean.—2 vol. *Worcester's Gazetteer*, ed. 1823.

"Mexico or New Spain. Bounded north by unknown regions; east by Louisiana, and the Gulf of Mexico; south by the Isthmus of Darien, which separates it from Terra Firma in South America; west by the Pacific Ocean.

Grand Divisions. *Old Mexico*, embracing Galicia, Mexico, Guatemala; *New Mexico Proper*, embracing Apacheira and Senora; and *California* on the west a peninsula. *Morse's Geography*, ed. 1796.

"At north lat. 25, 55, west long., w. c. 30 30, the Rio Grande Del Norte falls into the Gulf of Mexico. This is the first great river flowing from the Spanish provinces into the Gulf of Mexico." *Brooke's Gazetteer*, edit. 1823.

Mr. Jefferson in his letter to Mr. Bowdoin, 11th July, 1806, *Jeff. cor.* p. 59, says:

"With respect to our western boundary, your instructions will be your guide. I will only add as a comment to them, that we are attached to the retaining the bay of St. Bernard, because it was the first establishment of the unfortunate La Salle, was the cradle of Louisiana, and more incontestably covered and conveyed to us by France under that name, than any other spot in the country."

"St. Bernard's Bay, bay in the Gulf of Mexico on the coast of Texas. Lon. 96, 60, w.; lat. 28, 30, n.—*Worcester's Gazetteer*, ed. 1823."

Louisiana was ceded by France to Spain in 1761, and was retroceded by Spain to France in 1800, and occupied by France. By the treaty of Paris of the 30th April, 1803, it was ceded by France to the United States, and the possession delivered by the French authorities in 1804.

Mr. Madison expressing his own views, and those

of Mr. Jefferson, in a letter of the 31st March, 1804, says that Louisiana "extended westwardly to Rio Bravo, otherwise called Rio Bravo Del Norte. Orders were accordingly obtained from the Spanish authorities for the delivery of all the posts on the west side of the Mississippi;" and in a letter of the 31st January, 1804, Mr. Madison states that M. Laussat, the commissioner by whom the French government delivered the possession of Louisiana to us, announced "the Del Norte as its true boundary." In a letter of the 8th July, 1804, Mr. Madison declares the opposition of Mr. Jefferson to the "relinquishment of any territory whatever eastward of the Bravo."

Mr. Monroe, in a letter of the 8th November, 1803, encloses documents which, he says, "prove incontestably" that the boundary of Louisiana is "the Rio Bravo to the west;" and Mr. Pinckney unites with Mr. Monroe in a similar declaration; and on the 20th April, 1805, in a letter to Mr. Madison, they assert our title to be unquestionable. Mr. Monroe, in his letters of January 19 and June 10, 1816, says that none could question "our title to Texas," and concurs with Mr. Jefferson and Mr. Madison in the opinion "that our title to the Del Norte was as clear as to the island of New Orleans."

Mr. John Quincy Adams, in a letter to Don Onis of the 12th March, 1818, says: "The claim of France always did extend westward to the Rio Bravo." "She always claimed the territory which you call Texas, as being within the limits, and forming a part of Louisiana." And he further says: "Well might Messrs. Pinckney and Monroe write to M. Cevallos in 1805 that the claim of the United States to the boundary of the Rio Bravo was as clear as their right to the island of New Orleans." And in his letter of the 31st October, 1818, he says: "Our title to Texas is established beyond the power of further controversy." Mr. Adams, in his letter of instructions to Mr. George Graham of June 2, 1818, says:

"The President wishes you to proceed with all convenient speed to that place, (Galveston,) unless, as is not improbable, you should, in the progress of the journey, learn that they have abandoned or been driven from it. Should they have removed to Matagorda, or any other place north of the Rio Bravo, and within the territory claimed by the United States, you will repair thither, without, however, exposing yourself to be captured by any Spanish military force. When arrived you will, in a suitable manner, make known to the chief or leader of the expedition your authority from the government of the United States, and express the surprise with which the President has seen possession thus taken, without authority from the United States, of a place within their territorial limits, and upon which no lawful settlement can be made without their sanction. You will call upon him explicitly to avow under what national authority they profess to act, and take care that due warning be given to the whole body that the place is within the United States, who will suffer no permanent settlement to be made there, under any authority other than their own."

Mr. Clay, in his speech on the Spanish treaty, April 3, 1820, (*Mallory*, vol. 1, p. 400 and 401,) said:

"The title to the Perdido on the one side and to the Rio del Norte on the other, rested on the same principle—the priority of discovery, and of occupation by France; the principle observed among European nations having contiguous settlements being that the unoccupied space between them should be equally divided." "In 1685 he (La Salle) made an establishment on the Bay of St. Bernard, west of the Colorado, emptying into it. The nearest Spanish settlement was Panuco; and the Rio del Norte, about the midway line, became the common boundary."

Mr. Clay also, in his letter of the 17th April, 1844, published in the *National Intelligencer*, says: "The United States acquired a title to Texas, extending,

as I believe, to the Rio del Norte, by the treaty of Louisiana. They ceded and relinquished that title to Spain by the treaty of 1819, by which the Sabine was substituted for the Rio del Norte as our western boundary."

Mr. T. said it seemed to him that these facts and opinions clearly established the position that Texas never was geographically considered as composing any part or portion of New Spain, or Mexico, or New Mexico, but was a distinct country, separated from them by the Rio del Norte. He thought he would be able to establish as clearly that Texas was not now, and never had been, an integral part under the dominion of Mexico, under the form of government now existing, or which ever had existed in that country; but that Texas never had submitted to the jurisdiction of any power whatever, but always, from the time of the cession to Spain, had asserted and maintained her independence of Spain, of Mexico, and of all the world. On the reception of the news in Texas of the cession of that country to Spain, by the treaty of 1819, the people of Texas met in convention at Nacogdoches, and solemnly protested against being transferred, like slaves, to a foreign despot, and declared themselves a free and independent people by the following manifesto:

"The citizens of Texas have long indulged the hope that, in the adjustment of the boundaries of the Spanish possessions in America, and of the territories of the United States, they should be included within the limits of the latter. The claims of the United States, long and strenuously urged, encouraged this hope. An expectation so flattering prevented any effectual effort to throw off the yoke of Spanish authority, though it could not restrain some unavailing rebellions against an odious tyranny. The recent treaty between Spain and the United States of America has dissipated an illusion too fondly cherished, and has roused the citizens of Texas from the torpor into which a fancied security had lulled them. They have seen themselves, by a convention to which they were no party, literally abandoned to the dominion of the crown of Spain, and left a prey, not only to impositions already intolerable, but to all those exactions which Spanish rapacity is fertile in devising.

"The citizens of Texas would have proved themselves unworthy of their ancestry—of the kindred republics of the American continent—could they have hesitated in this emergency what course to pursue. Spurning the fetters of colonial vassalage, disdaining to submit to the most atrocious despotism that ever disgraced the annals of Europe, they have resolved, under the blessing of God, to be FREE. By this magnanimous resolution, to the maintenance of which their lives and fortunes are pledged, they secure to themselves an elective and representative government, equal laws, and faithful administration of justice, the rights of conscience and religious liberty, the freedom of the press, the advantages of liberal education and unrestricted commercial intercourse with all the world.

"Animated by a just confidence in the goodness of their cause, and stimulated by the high object to be obtained by the contest, they have prepared themselves unshrinkingly to meet, and firmly to maintain, any conflict in which this declaration may involve them.

"Done at Nacogdoches, this 23d day of June, in the year of our Lord 1819.

"JAMES LONG,

"President of the Supreme Council.

"BIS'VE TARIN, Secretary."

[Niles's Register, vol. 17, p. 31.]

From the hour in which that declaration of independence was made, the people of Texas have never submitted to the yoke or dominion of any other nation on earth; but, true to the spirit and character of their ancestors, they have, through various vicissitudes and reverses, battled on for freedom, and successfully maintained their independence; for

"Freedom's battle once begun,
Bequeathed from bleeding sire to son,
Though baffled oft, has ever won."

At this time, "under the Spanish government, Texas was a separate and distinct province. As such it had a distinct local organization."—(Footes's

History of Texas, page 62.) And at the time Texas revolted from Spain, Mexico was a distinct province under the dominion of Spain, from which she did not declare her independence until the adoption of the "Plan D'Iguala," at the city of Iguala, on the 14th of February, 1821. For, though internal commotions and revolutions had existed in that country from the time they were commenced by the curate Hidalgo, in 1810, they were controversies between the natives and the European Spaniards, for power in the country, and not for the purpose of throwing off the Spanish yoke. The independence of Mexico was acknowledged by the treaty of Cordova, entered into between Don John O'Donojou, the Spanish general, and Don Augustin de Iturbide, the general of the Mexican armies, on the 24th of August, 1821.

"TREATY OF CORDOVA.

"Treaty concluded in the city of Cordova, the 24th August 1821, between Don John O'Donojou, lieutenant general of the armies of Spain, and Don Augustin de Iturbide, first chief of the Imperial Mexican armies of the three guaranties:

"New Spain having declared herself independent of the mother country, possessing an army to sustain this declaration, in favor of which the provinces have pronounced themselves; the capital, where the legitimate authority had been established, being besieged; the cities of Vera Cruz and of Acapulco, alone remaining to the government, but without garrisons and without the means of resisting a regular siege of any duration, the Lieutenant General Don John O'Donojou arrived at the first named of these ports, with the titles and qualities of captain general and first political chief of the kingdom, whereof he has been vested by his Catholic majesty, desiring to avert the evils which fall necessarily upon the people in the changes of this nature, and to reconcile the interests of the Old with that of the New Spain, invites the first chief of the imperial army, Don Augustin Iturbide, to an interview, in order to discuss the great question of independence, and to untie, without breaking them, the cords which unite the two countries. This interview took place in the city of Cordova, (New Spain), on the 24th of August, 1821; and the former, in the character in which he was invested, and the latter as representing the Mexican empire, having long conferred on the interests of each of the nations, and taken into consideration their present condition, and the recent events, agree to the following articles, which they sign in duplicate, each of the two parties preserving an original, for the greater safety and validity of their stipulations:

"ART. 1. This part of America shall be acknowledged as a sovereign and independent State; and henceforth shall be called the Empire of Mexico."—*Vide Memoires Autographes, De don Augustin Iturbide*, p. 116.

But that treaty had no reference to Texas whatever; it treated of "New Spain" alone. After Iturbide was executed, Texas and Coahuila, in 1824, joined the Mexican confederacy; but they joined it as a separate and independent State. Their constitution adopted at Saltillo, 11th March, 1827, declares:

"Article 1. The State of Coahuila and Texas consists in the union of all its inhabitants.

"2. It is free and independent of the other United Mexican States, and of every other foreign power and domination."—*Kennedy's Tex. vol. 2 App. No. 11, p. 445.*

Thus as a free and independent nation they entered the Mexican confederacy, and as such they were received.

In October, 1832, Texas held a separate convention from Coahuila to form a State constitution for herself, and a second convention on the 1st April, 1833, according to the guaranty of the constitutional act of the constituent Congress of Mexico of the 7th May, 1824; this latter convention framed and adopted a constitution for the State of Texas as a separate and distinct and independent member of the Mexican federation, to be submitted to the national government, with a memorial praying for the ad-

cession of Texas into the Mexican Union, in conformity with the terms of the federal compact; but their messenger, Mr. Austin, on his arrival in Mexico, was imprisoned. Texas nevertheless, in conjunction with Coahuila, continued as an independent State in the Mexican confederation, until 1834 and 1835, when the rights of the republic of Mexico were violated, and the republic overthrown, and a military central consolidation erected on the 5th October, 1835, by Santa Anna, upon its ruins. The people of Texas refused to enter into this new government. They were oppressed by the Mexican power and their local legislature abolished.

On the 7th Nov. 1835, by a council of deputies of the people, the Texans issued a manifesto, in which, after reciting that Santa Anna and other military chieftains "had dissolved the social compact existing between Texas and the other members of the confederacy," solemnly declared that they "had taken up arms in defence of their rights and liberties," and "in defence of the republican principles of the federal constitution of Mexico of 1824;" "that Texas was no longer morally or civilly bound by the compact of Union;" "that they do not acknowledge that the present authorities of the present nominal Mexican republic have the right to govern within the limits of Texas;" and "that they hold it to be their right, during the disorganization of the federal system, and the reign of despotism, to withdraw from the Union, to establish an independent government, or to adopt such measures as they may deem best calculated to protect their rights and liberties."

War was made upon the people of Texas. They resisted; and, by a council of deputies of the people, established a provisional government; which, on the 7th November, 1835, issued the following manifesto:

"Whereas General Antonio Lopez de Santa Anna, and other military chieftains, have, by force of arms, overthrown the federal constitution of Mexico, and dissolved the social compact which existed between Texas and the other members of the confederacy, now the good people of Texas, availing themselves of their natural right, solemnly declare—

"First. That they have taken up arms in defence of their rights and liberties, which were threatened by encroachments of military despots, and in defence of the republican principles of the federal constitution of Mexico of 1824.

"Second. That Texas is no longer morally or civilly bound by the compact of union; yet, stimulated by the generosity and sympathy common to a free people, they offer their support and assistance to such of the members of the Mexican confederacy as will take up arms against military despotism.

"Third. That they do not acknowledge that the present authorities of the present nominal Mexican republic have the right to govern within the limits of Texas.

"Fourth. That they will not cease to carry on war against the said authorities, whilst their troops are in the limits of Texas.

"Fifth. That they hold it to be their right, during the disorganization of the federal system, and the reign of despotism, to withdraw from the Union, to establish an independent government, or to adopt such measures as they may deem best calculated to protect their rights and liberties; but that they will continue faithful to the Mexican government so long as that nation is governed by the constitution and laws that were framed for the government of the political association."

Their country was invaded by the order of the usurper Santa Anna; the invasion was successfully resisted by the people of Texas; the Mexican army, together with their leader, General Cos, was captured; and, in the articles of capitulation of the 11th December, 1835, it was stipulated—

"That General Cos and his officers retire, with their arms

and private property, into the interior of the republic, under parole of honor that they will not, in any way, oppose the re-establishment of the federal constitution of 1824."

On the 2d March, 1836, the people of Texas, by their delegates assembled in convention at Washington, declared their independence, as follows:

"We, therefore, the delegates, with plenary powers of the people of Texas, in solemn convention assembled, appealing to a candid world for the necessities of our condition, do hereby resolve and declare that our political connexion with the Mexican nation has forever ended; and that the people of Texas do now constitute a FREE, SOVEREIGN, AND INDEPENDENT REPUBLIC; and are fully invested with all the rights and attributes which properly belong to independent nations; and, conscious of the rectitude of our intentions, we fearlessly and confidently submit the issue to the supreme arbiter of the destinies of nations."

The parole of honor of General Cos was violated, and he returned with Santa Anna, with another invading army of 8,000 men, who openly avowed his intention to devote to indiscriminate slaughter all who should resist his authority; but Santa Anna and his army were overthrown and captured, on the plains of San Jacinto, on the 21st April, 1836.

Alluding to this great event, the Committee on Foreign Relations, of the Senate, in a unanimous report of the 18th June, 1836, through Mr. Clay, as chairman, unanimously adopted by the Senate, declared that—

"The recent signal and splendid victory in which that portion of the Mexican army which was commanded by General Santa Anna, the President of the Mexican government, in person, was entirely overthrown with unexampled slaughter, compared with the inconsiderable loss on the other side, put to flight and captured, including among the prisoners the President himself and his staff, may be considered as decisive of the independence of Texas."

And a solemn treaty was concluded and signed on the 14th of May, 1836, between Mexico and Texas, as follows:

"Articles of agreement and solemn compact made and adopted by David G. Burnett, President of the republic of Texas, and the undersigned members of the cabinet thereof on the one part, and Don Antonio Lopez de Santa Anna, President of the republic of Mexico, and Don Vicente Filasola, general of divisions, Don Jose Urea, Don Joaquin Ramirez y Sesma, and Don Antonio Gaona, generals of brigades of the armies of Mexico.

"Fourth. That the President, Santa Anna, in his official capacity as chief of the Mexican nation, and the Generals Don Vicente Filasola, Don Jose Urea, Don Joaquin Ramirez y Sesma, and Don Antonio Gaona, chiefs of armies, do solemnly acknowledge, sanction, and ratify the full, entire, and perfect independence of the republic of Texas with such boundaries as are hereafter set forth and agreed upon for the same.—(History of Texas, 2d vol., pages 317, 318.)

Mr. Webster, as Secretary of State, in his correspondence with Mr. Bocanegra of the 8th July, 1842, says:

"From the time of the battle of San Jacinto, in April, 1836, to the present moment, Texas has exhibited the same external signs of national independence as Mexico herself, and with quite as much stability of government. Practically free and independent, acknowledged as a political sovereignty by the principal powers of the world, no hostile foot finding rest within her territory for six or seven years, and Mexico herself refraining for all that period from any further attempt to re-establish her own authority over that territory." "The battle of San Jacinto, fought on the 21st April, 1836, achieved their independence. The war was from that time at an end." "Since 1837, the United States have regarded Texas as an independent sovereignty as much as Mexico." "He (Mr. Bocanegra) speaks of Texas as still being 'an integral part of the Mexican republic'; but he cannot but understand that the United States do not so regard it." "The constitution, public treaties, and the laws oblige the President to regard Texas as an independent State, and its territory as no part of the territory of Mexico."

Notwithstanding all the efforts of Mexico to sub-

due her, Texas has successfully resisted that power, and maintained her independence to this day. Mexico, in fact, never had a right, according to the law of nations, to one foot of land in Texas. The United States are under no obligations to consult her. The admission of Texas into the Union will, in no degree, compromise the honor of this nation, or violate its faith in its treaty with Mexico. Mexico, in fact, had no right to interfere in the matter, and we are under no obligations to consult her in relation to it.

So much, then, (said Mr. T.) for the honor of this country. But (said Mr. T.) whilst "honor is the subject," and the good faith of this nation is under consideration, he begged leave to call the attention of the committee to another important fact. By the third article of the treaty of Louisiana (Laws of the United States, vol. 1, p. 136) it was provided that—

"The inhabitants of the ceded territory shall be incorporated in the United States, and admitted as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States; and, in the mean time, they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess."

Now, he asked if the obligations of that treaty were not violated when Texas was ceded to Spain by the treaty of 1819, without consulting France or the people of the Territory? and if the United States were not bound by the principles of justice and good faith to perform the stipulations in that treaty now, when they had it in their power to do so, and thus, as far as they were able, do justice to an injured people?

Mr. Clay, (said Mr. T.,) at the time, denied the right of the United States, under the treaty-making power, to cede that country to Spain. Mr. Clay, in 1820, introduced the following resolution:

"Resolved, That the constitution of the United States vests in Congress the power to dispose of the territory belonging to them; and that no treaty purporting to alienate any portion thereof is valid without the concurrence of Congress."

Mr. Clay most strenuously opposed the measure as being both unconstitutional and inexpedient. The proposition asserted by the resolution just quoted was sufficiently maintained by barely reading the clause in the constitution on which it rests:

"The Congress shall have the power to dispose, &c. of the territory or other property belonging to the United States."

He said that

"All accounts concurred in representing Texas to be extremely valuable. Its superficial extent was three or four times greater than that of Florida. The climate was delicious; the soil fertile; the margins of the rivers abounding in live-oak; and the country admitting of easy settlement. It possessed, moreover, if he were not misinformed, one of the finest ports in the Gulf of Mexico. The productions of which it was capable were suitable to our wants. He would not give Texas for Florida in a naked exchange."

Thus did Mr. Clay oppose the transfer of that country, and he never lost sight of the regaining of it. But he (Mr. T.) contended that the cession of Texas to Spain, was not only a breach of faith with France, but a violation of the rights of the people of Texas, and absolutely null and void so far as the people of Texas were concerned, upon another ground.—[See appendix No. 11.]

There was (said Mr. T.) no plainer principle in the law of nations. Vattel (p. 196, sec. 165) lays down the law of nations expressly to be, that

"A sovereign already bound by a treaty cannot enter into

others contrary to the first. The things respecting which he has entered into engagements are no longer at his disposal. If it happens that a posterior treaty be found, in any particular point, to clash with one of more ancient date, the new treaty is null and void with respect to that point, inasmuch as it tends to dispose of a thing that is no longer in the power of him who appears to dispose of it."

He (Mr. T.) concluded, then, that Texas had a perfect right, by the provisions of the treaty of Louisiana, to admission into the Union. The admission of Texas, instead of violating the faith of our treaty with Mexico, will be a compliance with our faith, pledged in the treaty with France. Instead of soiling the honor of the nation, instead of breaking treaty stipulations, it will restore and perform the obligations of a treaty already broken. He (Mr. T.) thought that the United States could not deny to Texas admission into the Union without a violation of every principle of honor, of justice, and good faith.

Some gentlemen said that the reannexation of Texas to the United States was a new question; but he (Mr. T.) denied that it was so; it had never been lost sight of since it had been, unfortunately for the country, ceded away. Mr. Adams and Mr. Clay, General Jackson and Mr. Van Buren, endeavored to negotiate a purchase of it with Mexico in 1825, '27, '29, '33, and '35. None of those distinguished men, nor any eminent man of any party, then believed that it would be a violation of our treaty with Spain to negotiate with Mexico the purchase of Texas; and yet Spain had not recognised the independence of Mexico. And now gentlemen object to reannexation because Mexico has not acknowledged the independence of Texas, although no objections were made to the negotiating with Mexico for the reannexation, notwithstanding Spain had not acknowledged the independence of Mexico until the treaty of Madrid, of the 28th December, 1836, after the battle of San Jacinto, and after the acknowledgment of the independence of Texas by Santa Anna and the Mexican generals. Mexico, during the progress of the negotiations with her for Texas, had nothing, so far as Spain was concerned, to establish her independence but the treaty concluded at Cordova, between O'Donojou and Iturbide, against which the Spanish government had entered its protest in the most solemn manner, by the

Decree of the Cortes of Madrid.

At the sitting of the 13th February, 1822, the Cortes extraordinary, assembled at Madrid, adopted the following articles:

"ART. 1. The Cortes declare that the act designated under the title of the treaty of Cordova, between General O'Donojou and the chief of the malcontents of New Spain, Don Augustin de Iturbide, and every other act or stipulation implying the recognition of the independence of Mexico by the aforesaid general, are illegal and void, so far as regards the government of Spain and its subjects."

"ART. 2. The Spanish government declares officially to all powers with which it has amicable relations, that it will consider, in all time, as a violation of existing treaties the recognition, partial or absolute, of the independence of the Spanish colonies in America, so long as the differences which exist between any of the colonies and the metropolis shall not have been terminated, &c., &c."—*Fide Memoires Autographiques, De don Augustin Iturbide, p. 129.*

It was, then, upon the simple acknowledgment of O'Donojou that Messrs. Adams and Clay, and afterwards General Jackson and Mr. Van Buren, proposed to treat with Mexico for the cession of Texas to the United States. Mexico had no other title to Texas than that, when these propositions were made to her; yet when now it is proposed to treat with Texas herself, who has had the acknowledgment

and recognition of her independence since 1836, of Santa Anna and the other Mexican generals, and who has maintained that independence against the combined power and treachery of Mexico, we are gravely told (said Mr. T.) that we are about to tarnish the honor of the country, and violate its treaty obligations with Mexico.

This he (Mr. T.) considered as a national question, which should not be decided on sectional views. But if sectional views were to be taken, he conceived that it would be found that the western States and the eastern States were those most deeply interested in it; and, instead of its being a southern question, it would be found to be a western and an eastern question. The attempt to reannex Texas first proceeded from one of the representatives from Massachusetts, [Mr. ADAMS,] aided by a gentleman from Kentucky, [Mr. CLAY,] and it was fair to presume that, if those distinguished gentlemen were guided at all by sectional feeling in relation to the measure, their minds were influenced by the interests of the East and West at that day. Nothing, however, was then said of its being a southern question, or a party question, or a slave question; and both upon the slave question and her interest in manufactures, he considered that the position now assumed by Massachusetts was, and would prove to be, as complete an *error loci* as she could be placed in. [See appendix No. 2.]

He (Mr. T.) did not, so far as he knew himself, and was capable of judging of his own feelings and opinions, give to the slave question, which had been raised here, the weight of one feather in influencing his mind in favor of the reannexation of Texas. He lived on the very line of demarcation between the free and slave interests of this Union, and he was able to look upon this subject with calmness; and he would say that he did not give that weight to the question of slavery that he should be induced to vote for this reannexation with the view of extending the bounds of that institution. Many of his constituents were the owners of slaves; they were their property, acknowledged as such, and secured to them by the constitution of the Union; and so long as he had the honor of a seat on this floor, he would not submit to any invasion of, or interference with, their constitutional rights or domestic institutions upon this or any other subject, by this or any other government or people. But if the people of Texas desired it, and proposed themselves to be annexed as a free State, he would give his vote as freely for it as he would if it were to be annexed as a slave State; that was a question for the people of Texas to settle themselves.

This question of the reannexation of Texas had continued long to be a question of great interest throughout this Union; it was never made a party question until the recent presidential canvass, and it decided the result of that election; the fiat of the people had gone forth in a voice which could not be misunderstood. Gentlemen might deny that the question had been settled by the people. He (Mr. T.) thought otherwise. On the subject of the tariff and distribution, there was not that unanimity that there was on this question. On the question of reannexation there was no difference; there was no dispute in the democratic ranks; and besides them there were a vast number of whigs in favor of the measure; the majority of the people of the United States in favor of reannexation was much greater than the majority of Mr. Polk over Mr. Clay. If there was one question however that was involved

in the late canvass throughout the wide expanse of this Union—through every State, in every county and town and hamlet—it was this question of the reannexation of Texas. There was no question which was so much and so universally mooted; and Mr. Clay was opposed on the ground of his supposed hostility to it, though he was nevertheless supported by many of the whig party on other questions, who were, notwithstanding, in favor of reannexation. Mr. Polk was supported because he was in favor of the measure, and he believed opposed by all who were opposed to it. It might not comport with the views of some gentlemen of the North, to whose course he did not intend to make objections, as that was a matter of their own concern and not his; but he begged the committee to look upon the question as it ought to be viewed—as a national question, and not one simply involving local feelings or mere local interests, or to be decided upon such contracted views.

It being within one minute of the expiration of the hour allotted him, Mr. T. said he would not, as he had not time, enter into views he had desired to present to the committee upon other questions [See appendix No. 3] arising out of the subject under debate, and he therefore yielded the floor.

APPENDIX.—No. 1.

That distinguished and able jurist, the Hon. Geo. M. Bibb, writing on this subject, says:

"The United States by the cession to Spain, violated their treaty with France; they violated their engagements to the inhabitants of the ceded territory now called Texas.

"The people of Texas have a perfect right to demand of the United States the fulfilment of the stipulations of the third article of the treaty of the 30th April, 1803, with France. The Texans have just claim against the United States for indemnity for the expenditures and charges they were compelled to incur in defending themselves against the invasion of Santa Anna, and in providing for themselves, by their own means, that protection and security which the United States were in good faith bound to have afforded.

"The United States are bound by the obligations of just justice, by the ties of honor and good faith, to repair the breach committed by the cession to Spain as soon as possible. A most fit and just occasion offers now, by the application of Texas to be received into the United States. The United States cannot in honor higgie about the debts incurred by the Texans in their defence. Honor and good faith are above money and price."

No. 2.

Mr. TIBBATS, in his speech upon the subject of the reannexation of Texas in the House of Representatives at the last session of Congress, alluding to the subject of slavery, made the following remarks:

"It will extend the principles of civil liberty, for they march *pari passu* with the migrations of the Anglo-Saxon race. Above all, it will be favorable to the quieting of a question of the deepest interest to this country and to the world—a question which is infusing the gall of bitterness into the feelings between different portions of our happy confederacy, enkindling a spirit of hatred and feelings of revenge in our bosoms which threatens to rend the very vitals of our glorious country, and cause the downfall of our political institutions, the dismemberment of the Union, and the destruction of the last hope of human liberty. Sir, it will be favorable to the gradual, peaceable, and constitutional abolition of slavery on this continent, in a manner pointed out by the Almighty Creator of the universe, and which he will work out in his own way. I am one of those, Mr. Chairman, who believe in a superintending Providence, to whose divine influence is to be attributed the saving of this great republic from destruction at several epochs in our national history, when its safety seemed to be beyond the control of human power. It seems to me that I see the hand of God, and the direction of his wisdom, in the pilgrimage of the African race from their own dark and benighted land, through the (to them) strange nations and uncongenial

climates of Europe and America, among people their superiors by nature, more skilled in the arts, more improved in the sciences, more advanced in civilization, and more learned in the principles of liberty and free government. The African race will be carried along in this pilgrimage by the interests of mankind, and by the laws of trade, gradually improved, cultivated, christianized, regenerated, and converted into beings of a different nature. They will gradually recede from the North, which is uncongenial to their natures. They will be pushed and crowded on by the tide of emigration of the white races of Europe, now flooding this country with a hardy and industrious population in search of liberty, and seeking freedom from the oppressions of the Old World. They will flow peacefully in an increasing stream along the Mississippi, the great father of waters, and through this very land of Texas, until they end their pilgrimage on the shores of the gulf, and in a climate congenial to their nature, and become blended with the mixed population of Mexico. Who is there that will object, if all of this unfortunate race shall thus gradually and peaceably finally be withdrawn from our republic? Who will set himself up to oppose the decrees of the Almighty? Surely none in the North, for it will accomplish what they propose to effect. Certainly none in the South, for the love of liberty burns as purely, and the friends of liberty are as earnest and ardent, there as in the North. Nor will it have the effect to weaken the southern States either in population or in wealth; on the contrary, it will improve the one and increase the other. The value of our slaves will be left behind in money or other wealth, and our country will be filled by an honest, hardy, and industrious population of whites, who are now crowding our shores, and whom I, for one, welcome to our land. They will bring with them their wealth and a love of liberty the more ardent from having suffered under the iron rule of oppression. The southern States will be greatly the gainers, and will not object to this gradual and natural change in the condition of their population. The North will be satisfied with it, and thus a difficulty be avoided and a question settled which now threatens the most serious consequences. The North, too, will be cleared of a degraded and wretched population, with which they were now infested, crowding their hospitals and jails, and with which their large cities will be overrun."—*Ibid.* Appendix to 11th vol. *Congressional Globe*, page 150.

No. 3.

Mr. TIBBATS, in the same speech above referred to, in alluding to the effect of the extension of territory on the permanency of the Union, remarked as follows:

"I am aware, sir, that, by some, it is declared that the re-annexation of Texas will be inevitably a dissolution of the Union, and that such a consequence is threatened. The same absurd declarations and intemperate threats were made with regard to the acquisition of Louisiana; but they were not regarded then, nor ought they, nor will they, be regarded now. How can that destroy the integrity and dissolve the bonds of this Union, which is accomplished in the manner and mode pointed out in the great charter of our liberties—the constitution itself, by which the Union is held together?—yes, sir, held together by ties of the most indissoluble character. There is no danger, sir, of a dissolution of this Union. I regret, sir, that dissolution is a thing often lightly talked of at the present day, in some quarters, on the most trivial occasions. But, sir, it will never be accomplished by the plots of fanatics and traitors. We are united together indissolubly by a system of equal rights and privileges—by a common blood—by the ties of kindred—by the necessity of a common defence—by common interests. The simple fact that no State can better its condition, and that any State must put itself into an infinitely worse one, both in regard to its foreign and domestic relations, by a separation from the Union, will prevent it in all time to come.

"It is objected, that our country is already too large, and that to extend it further would result in its severance. The same prediction was made at the acquisition of Louisiana; but the prophecy has met with a signal failure. This position is not entitled to the weight of a feather against reannexation. The extent of territory is an argument in favor and not against the measure. The experience of the past has demonstrated that our system of confederated States is capable of any degree of extension, which will be sufficiently near to afford time to the most distant representatives to attend the sittings of the national Congress; which, owing to the improvements in navigation and the increased facilities for travelling, will be conveniently done from the most distant part of the republic. The extension of our territory has augmented, and will continue to augment, the resources

of our government in an eminent degree; to strengthen its power at home, and to increase its respectability and standing abroad; to prevent consolidation on the one hand and disunion on the other. Every particular State is confident of its strength, because its strength is that of the whole; and having no fears or apprehensions from abroad, it is more competent to direct a wise legislation to promote the interests, to protect the civil liberty, to improve the domestic relations, and to secure the happiness of its people at home. Has our government been weakened? On the contrary, has it not been strengthened in every point of view, by the purchase of Louisiana, and by the addition of new States? The addition of every new State has added strength to the Union. Are the twenty-six States weaker than the original thirteen States were? On the contrary, are they not infinitely stronger? Are the new States less devoted to the Union, less anxious for its preservation, than the original States? Do you ever hear from the new States these threats of disunion? No, sir; these threats proceed from the oldest, and once the most patriotic States of the confederacy. No, sir; the new States are distinguished for their love for, and devotion to, the Union; and any hint looking to its dissolution fills our hearts in the West with sadness and grief. We will be ever ready to defend, with our treasure and blood, the integrity of the Union. Among our patriotic young men, a heroic Curtius will never be wanting to plunge into the chasm, to devote himself for the safety of his country, and perish for the preservation of the Union. The arguments against the extension of our territory, drawn from the history and downfall of ancient empires and republics, are in no way applicable to the institutions of this country, or the extension which we propose to make by the reannexation of Texas. The ancient republics and empires extended their dominions over other nations of different languages, customs, religions, and interests, by conquest and the sword—nations which they ruled with the iron rod of a military despotism and reduced to slavery, to grace the triumphs, and burdened with exactions and taxations to support the glory and splendor of their conquerors and oppressors; we, on the contrary, propose to take into a union of equal political rights, our brethren and kinsmen of the same political opinions, having the same interests, the same laws, the same customs and religion."

Mr. Madison, in the XIV No. of the *Federalist*, says:

"All that remains, within this branch of our inquiries, is to take notice of an objection that may be drawn from the great extent of country which the Union embraces. A few observations on this subject will be the more proper as it is perceived that the adversaries of the new constitution are availing themselves of a prevailing prejudice with regard to the practicable sphere of republican administration, in order to supply, by imaginary difficulties, the want of those solid objections which they endeavor in vain to find.

"The error which limits republican government to a narrow district, has been unfolded and refuted in preceding papers. I remark here only that it seems to owe its rise and prevalence chiefly to the confounding of a republic with a democracy.

"As the natural limit of a democracy is the distance from the central point, which will just permit the most remote citizens to assemble as often as their public functions demand, and will include no greater number than will join in those functions, so the natural limit of a republic is the distance from the centre, which will barely allow the representatives of the people to meet as often as may be necessary for the administration of public affairs."

On the subject of making it a party question in postponing it, Mr. TIBBATS, in the same speech, remarked:

"But, sir, there is another portion of the people—and I am one of them—which consists of many thousands of the people in the North and in the South, in the East and in the West, confined to no particular section or party, who see no reason for a postponement of this question; on the contrary, they believe that there is an urgent necessity for prompt and decisive and immediate action upon the question. This party is looking out for a leader, and I have no doubt will soon find one. If this measure shall fall at the present session of Congress, as I am apprehensive it will, all these friends of reannexation will be found, though now separated by a very slight difference of opinion, coming together marshaled under one leader, and battling under the same banner. Politicians may strive, sir, but they will strive in vain, to stay the torrent of popular feeling which is already in motion on this momentous question. They may endeavor to harness their followers; the press may be subalized; par-

ty tactics may be put into requisition and operation; but it will all avail nothing. There is a dead and abiding interest among the people on this question which cannot be smothered. The tide of popular sentiment is rolling onward, and no power on earth can resist it. It is sought to postpone this question for a more decided expression of the public will. Sir, the acquiescence of all parties in the repeated efforts to regain Texas, ever since the cession to Spain, is expressive enough. We are told to wait until there is a more urgent and extreme necessity. Sir, the necessity is urgent enough. We should provide to avoid an extremity of need. Now, it may be done peaceably, and with little comparative cost. Then, it may cost us millions of treasure and rivers of blood. Now, the question, if it is meritorious in itself, can be best settled upon its own intrinsic propriety. If it be delayed, it will become mingled in the party conflicts of the day. Texas must, at some time or other, in some way, be incorporated with this confederacy. It can now be done peaceably and with her consent; if we drive her from us now, and force her, by our repulsion, into a position in which she may be compelled, by her necessities,—ah! sir, may I not say, indeed, by her inclinations, her feelings outraged and soured by our unwise and unnatural conduct?—into entangling alliances with Great Britain; then, sir, war with that power cannot be avoided; then, our peace and safety will never be certain until she is made ours by conquest. Action now will only risk a possibility, and the remotest possibility, of a war with Mexico. Postponement will make a war with Great Britain inevitable. If we are to wait until Mexico shall acknowledge the independence of Texas, it will never be accomplished. Mexico never will, she will never dare, acknowledge it, without the consent of England, who holds a debt of some eighty millions of dollars against her, as an argument to support her kind counsels; and England will not consent until, by her diplomacy, she has established herself upon our southern border, to put into practice her interference by *counsel and advice* with the peculiar institutions of the southern States.”

In relation to the designs of England, Mr. TIBBATTs said:

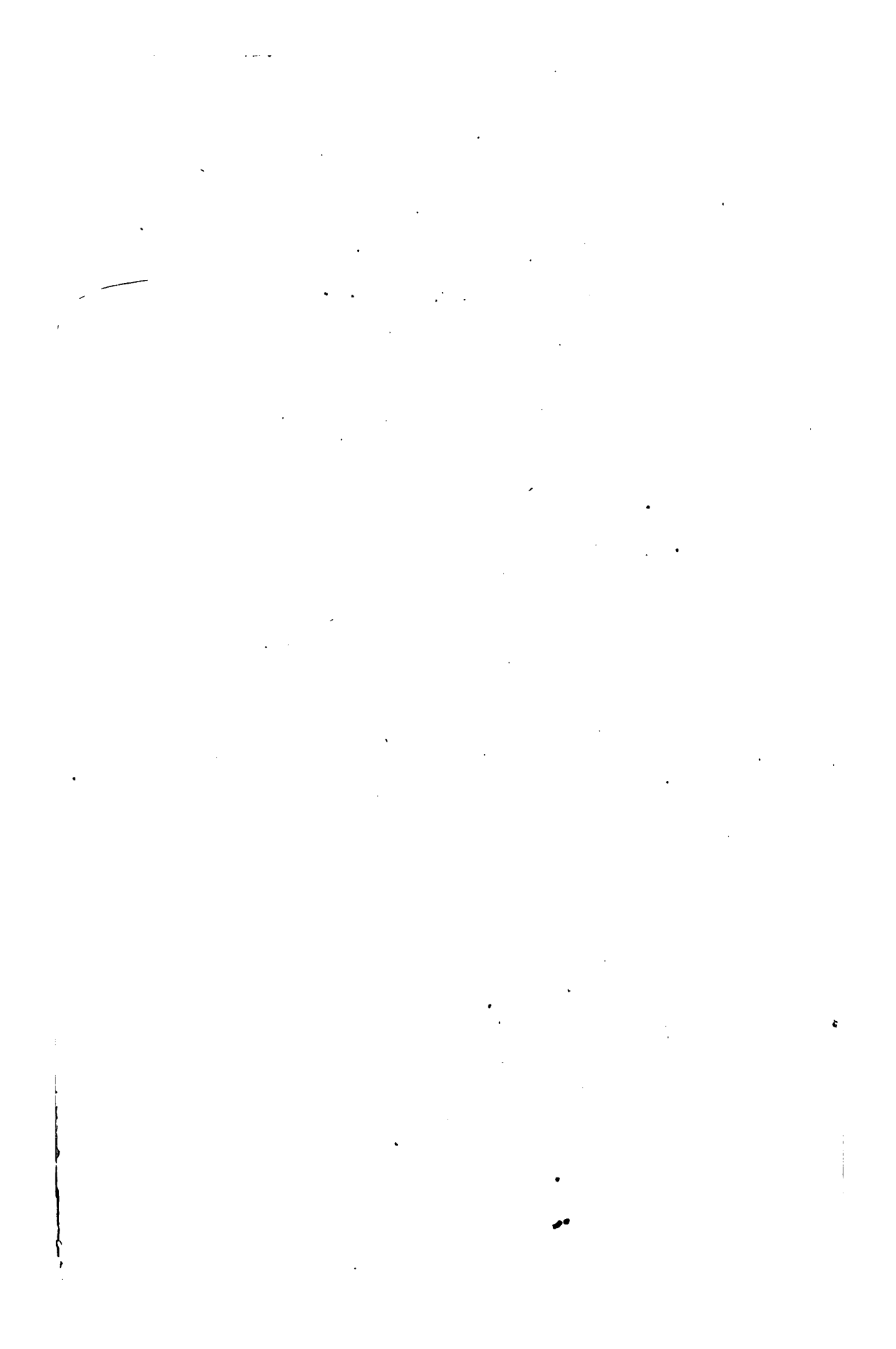
“What, sir, do the conversation in Parliament and this letter of Lord Aberdeen amount to? We will not force Texas to abolish slavery; we greatly desire, however, that she shall do so, and we desire to see it abolished in the United States, but we will not stir up disaffection in the slaveholding States; we will use all means of persuasion to induce Texas to abolish it; we will be able, through Mexico, and the Texas we will offer to Texas, to place her in a position that she cannot avoid doing it; we will persuade Mexico not to acknowledge her independence unless upon conditions prescribed by us; Mexico is our debtor to an amount of many millions, and dare not do it without our assent; unless the independence of Texas is acknowledged by Mexico, the United States will not annex Texas to that confederacy; Texas, driven from the shelter of her natural protector, will not be able to resist our blandishments; she will readily fall into our arms; we will soothe her outraged feelings; we will make her large promises, and bestow upon her munificent favors; we will pay to Mexico all that Mexico can claim of her; we will give to Texas ample time to repay us; we will pay all of her debts, and on that score place her out of trouble; we will ourselves become her sole creditor, and will be an indulgent creditor, provided she will follow our counsels: we will go further; we will admit her cotton and sugar and other productions free into our ports; we will guaranty her independence; we will enter into treaties of alliance with her, offensive and defensive; in effect, though not in name, we will make her a part of the British empire, and will erect her into a great nation by colonizing her beautiful country with our redundant population; we will do all this and ask but little comparatively in return—only to admit our manufactures on the most reasonable terms—to prevent slaves from being brought from the United States, and gradually to abolish slavery in Texas: thus we will gain our advantage over the northern manufacturers of the United States, and over the cotton growing region of the South, and, by destroying the outlet for the slaves who are now pushed southward by the encroachments of free labor, we will hedge in and pen up their slaves and their increase in so small a compass as that slavery will become so intolerable a curse in the United States as to result in a convulsion which will tear out her very vitals, and

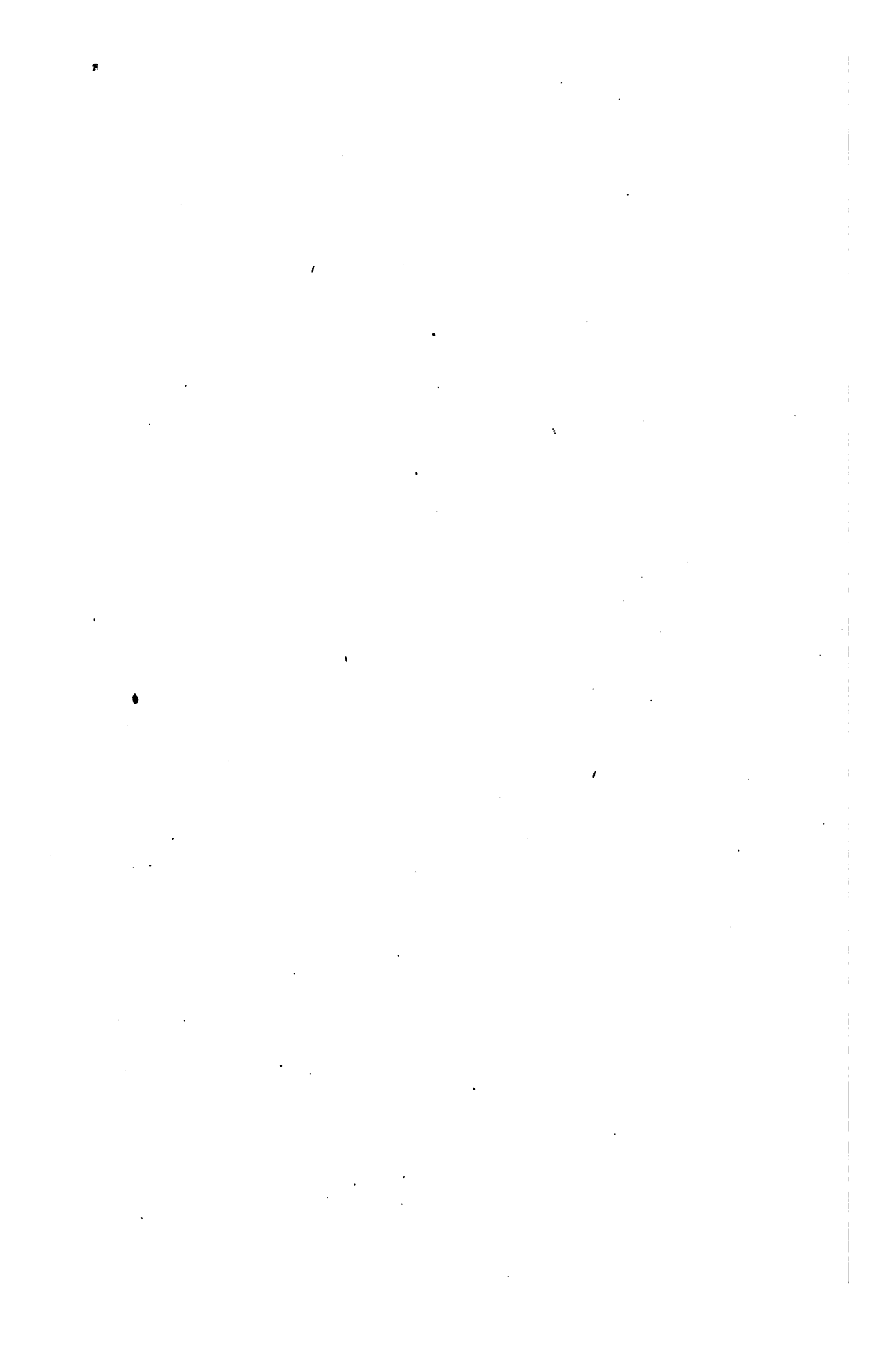
overwhelm and bury her in carnage and blood. Is there a man in this hall who does not see at a glance through this whole conspiracy of my Lord Aberdeen and his associates? Sir, it is but a light gauze which covers these machinations and tactics of British diplomacy.”

* “Though Mexico can never reconquer Texas, Texas itself cannot stand alone. If we refuse to admit her back into the Union—if she be driven from our doors when she is asking for admission—if she be repudiated by her own race and her own kinsmen,—she will be compelled to throw herself into the meretricious embraces of Great Britain, under circumstances, and bound by ties and obligations of treaties, of such a character as must reflect dishonor upon us—as must entail upon her and upon us the most disastrous consequences. Any attempt on the part of England to obtain possession of any part of Texas, or to secure a commanding control or influence over her councils, would be a just cause of war on the part of the United States, and would inevitably lead to that result. The interests of this country must be materially affected by any great change in the policy of Texas; and we are bound, by motives of self-preservation, to interfere to prevent it. On our northern boundary we have a British colony: is there any true American who would be willing to see another on our southern? For Texas there is but this alternative: she must either become a part and parcel of the Union, or she must place herself under the protection of Great Britain. Contiguous to us in geographical position; having the same commercial interests; producing the same staples; peopled principally by emigrants from this country; inhabited by people of the same blood; children of the same mother; bone of our bone and flesh of our flesh; speaking the same language; professing the same religion, and worshipping the same God; attached to us by every natural affinity; cherishing the same indomitable spirit of freedom; animated by the same love of liberty; entertaining the same ideas of government; identified with us by every congenial tie, personal and political; like Joseph of old, sold by us, their brethren, into slavery,—they have thrown off their shackles; they have worked out their redemption; they have, in well-fought fields of battle, crowned themselves with glory, vindicated their rights, won back their liberties, and achieved their independence. They now anxiously ask us to receive them back to our arms, from which we have unnaturally thrust them. Shall we refuse them? Can we refuse them? No, sir. It is impossible that they can relapse into Mexican vassalage. We can never suffer England to hold dominion over them in fact or through her diplomacy.”

In relation to any interference by foreign nations with the relations between this nation and others on this continent, Mr. TIBBATTs remarked:

“Then, no foreign power will interfere; England will not dare to interfere. What right would England have to interfere, or to interpose obstacles to an amicable adjustment between this government and Mexico? England, with all her grasping ambition, with all her arrogance of supreme power upon the seas, with all her thirsting lust after dominion upon the land—will never dare to do this thing. Never! sir, never! This government has always, and will ever protest against it, and resent every species of foreign interference in the relations between us and the other republics on this continent. Such an interference must lead to war—inevitable war; and however much I would deprecate a war between this country and England, or any other country, (because war should always be avoided, if it can be done with safety and without dishonor,) yet, sir, if it is to be avoided with England by yielding up the rights of the Texans, and by a just action on our part for the promotion of our own interests and the integrity of this nation—if it is to be shunned by a tame submission to foreign interference in our relations with the American republics, and in our social institutions—I say, sir, let it come. But, sir, there need be no apprehension of a war with England; she is the last country on earth to seek a war with this nation, to enforce an unjust interference in American relations. The first blast of her war trumpet, with such an object, on this continent, would be the death-knell of her power; it would end in the loss of her colonies, the dismemberment of her empire abroad, and revolution at home. ‘Her linked plots will be riven, disdained by earth, and accursed by heaven.’”







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